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**VIA ELECTRONIC FILING**

David Butler, Esquire  
Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, SC 29210

**RE:     Joint Application and Petition of South Carolina Electric & Gas Company and Dominion Energy, Incorporated for Review and Approval of a Proposed Business Combination between SCANA Corporation and Dominion Energy, Incorporated, as May Be Required, and for a Prudency Determination Regarding the Abandonment of the V.C. Summer Units 2 & 3 Project and Associated Customer Benefits and Cost Recovery Plans  
           Docket Nos. 2017-207-E, 2017-305-E, and 2017-370-E**

Dear Mr. Butler:

I am writing to raise an issue with you that has just materialized this morning. SCE&G was scheduled to take Dukes Scott's deposition beginning at 10 am today. This deposition had been properly noticed, and Mr. Scott's counsel had accepted a subpoena that compelled Mr. Scott's attendance at this date and time. SCE&G ultimately selected this day to be sure that Mr. Scott's deposition would be completed before the hearing began. Mr. Scott's testimony may be critical to SCE&G's ability to effectively cross-examine ORS witnesses Gary Jones and Anthony James, both of whom are scheduled to present live testimony at the hearing.

At 9:14 this morning, SCE&G's counsel—Jon Chally at King & Spalding—received word from ORS's counsel, Matthew Richardson, that Mr. Scott's personal counsel had become ill and would not be able to defend Mr. Scott during his deposition. We were forced to cancel the deposition as a result. Mr. Chally subsequently discussed this issue with Mr. Scott's counsel, and they preliminarily agreed to reschedule the deposition for tomorrow, October 31st. We further understood that Mr. Scott's counsel expected to be available on both Thursday and Friday of this week, if for some reason tomorrow did not work. Mr. Richardson has since informed the parties that ORS is not available tomorrow, and shortly thereafter Mr. Scott's counsel informed SCE&G's counsel that he likewise could not do the deposition on October 31st. As a result, the deposition cannot be concluded before the hearing begins. As far as SCE&G is aware, Mr. Scott and his counsel remain available on Thursday, November 1.

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It is critical that Mr. Scott be deposed before Gary Jones and Anthony James testimony concludes and so that SCE&G has an opportunity to cross-examine Messrs. Jones and James on issues raised by Mr. Scott's deposition testimony. SCE&G remains willing to take Mr. Scott's deposition as soon as possible, and the only party unwilling to participate at a convenient time is the ORS. Mr. Richardson has offered November 7 as the first date on which he is available to participate in Mr. Scott's deposition. While far from ideal, SCE&G is willing to reschedule the deposition for that date in exchange for ORS's agreement to allow SCE&G to call Mr. Jones or Mr. James back to the stand in the event that Mr. Scott's deposition testimony requires it. Mr. Richardson refused to accept that agreement.

SCE&G requests that you order Mr. Scott's deposition to be conducted on Thursday, November 1. SCE&G would be materially prejudiced by a delay of Mr. Scott's deposition to November 7 because, by that time, Messrs. Jones and James will have testified, and SCE&G will not have the ability to cross-examine those witnesses with information discovered through Mr. Scott's deposition. The ORS has a number of lawyers dedicated to this matter, including those affiliated with the Wyche firm, and we have no reason to believe that one of these lawyers cannot effectively represent ORS's interests at the deposition that SCE&G had scheduled to take. The deposition should proceed before fact testimony begins in earnest at the hearing.

In the alternative, SCE&G remains willing to schedule Mr. Scott's deposition for November 7 if SCE&G retains the ability to call Mr. Jones and/or Mr. James to testify following Mr. Scott's deposition. This reasonable accommodation will minimize any harm to SCE&G and allow for a fair presentation of any and all issues arising from Mr. Scott's deposition.

We request your immediate attention to this issue. Cancelling this deposition has impaired SCE&G's ability to prepare for the hearing, and the ORS's refusal to provide any accommodation associated with further live testimony of Messrs. Jones or James solidifies this adverse impact.

If you have any questions or concerns, please do not hesitate to contact us.

Very truly yours,



K. Chad Burgess

KCB/kms

cc: All parties of record in Docket Nos. 2017-207-E; 2017-305-E; and 2017-370-E  
(all via electronic mail only)